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Security Council

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Resolution 2146 (2014)

Adopted by the Security Council at its 7142nd meeting, on 19 March 2014

The Security Council,

Recalling its resolutions 1970 (2011) of 26 February 2011, 1973 (2011) of 17 March 2011, 2009 (2011) of 16 September 2011, 2016 (2011) of 27 October 2011, 2017 (2011) of 31 October 2011, 2022 (2011) of 2 December 2011, 2040 of 12 March (2012), 2095 of 14 March (2013), and 2144 (2014), as well as the Statement of its President (S/PRST/2013/21) of 16 December 2013,

Reaffirming its strong commitment to the sovereignty, independence, territorial integrity and national unity of Libya,

Recalling that international law, as reflected in the United Nations Convention on the Law of the Sea of 10 December 1982, sets out the legal framework applicable to activities in the ocean,

Underlining the primary responsibility of the Libyan authorities in taking appropriate action to prevent the illicit export of crude oil from Libya, and reaffirming the importance of international support for Libyan sovereignty over its territory and resources,

Noting the letter of 10 March 2014 from the Libyan Government to the President of the Security Council and *expressing* concern that the illicit export of crude oil from Libya undermines the Government of Libya and poses a threat to the peace, security and stability of Libya,

Expressing support to efforts by the Libyan government to resolve peacefully the disruptions of Libya's energy exports and re-iterating that control of all facilities should be transferred back to the proper authorities, supporting the Libyan government's intention to address border security issues, including the implementation of the Tripoli Action Plan, and *noting* the importance of the European Union Border Assistance Mission to Libya to strengthen Libyan border management,

Determining that the situation in Libya continues to constitute a threat to international peace and security,

Acting under Chapter VII of the Charter of the United Nations,

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1. *Condemns* attempts to illicitly export crude oil from Libya;

2. *Calls on* the Government of Libya, on the basis of any information regarding such exports or attempted exports, to expeditiously contact the concerned vessel's flag state, in the first instance, to resolve the issue;

3. *Requests* the Government of Libya to appoint and notify the Committee established pursuant to resolution 1970 (2011) of a focal point responsible for communication with the Committee with respect to the measures in this resolution, and *requests* that the Government of Libya's focal point inform the Committee of any vessels transporting crude oil illicitly exported from Libya, along with available and relevant information, and of any efforts made in accordance with paragraph 2;

4. *Directs* the Committee to immediately inform all relevant Member States about such notifications from the Government of Libya's focal point;

5. *Authorizes* Member States to inspect on the high seas vessels designated by the Committee pursuant to paragraph 11, and *authorizes* Member States to use all measures commensurate to the specific circumstances, in full compliance with international humanitarian law and international human rights law, as may be applicable, to carry out such inspections and direct the vessel to take appropriate actions to return the crude oil, with the consent of and in coordination with the Government of Libya, to Libya;

6. *Requests* that Member States, before taking the measures authorized in paragraph 5, first seek the consent of the vessel's flag State;

7. *Decides* that any Member State that undertakes an inspection pursuant to paragraph 5 shall submit promptly a report to the Committee on the inspection containing relevant details, including efforts made to seek the consent of the vessel's flag State;

8. *Affirms* that the authorization provided by paragraph 5 of this resolution applies only with respect to inspections carried out by warships and ships owned or operated by a State and used only on government non-commercial service;

9. *Further affirms* that the authorization provided by paragraph 5 of this resolution applies only with respect to vessels that are the subject of a designation made by the Committee pursuant to paragraph 11 and shall not affect the rights or obligations or responsibilities of Member States under international law, including rights or obligations under the United Nations Convention on the Law of the Sea, including the general principle of exclusive jurisdiction of a flag state over its vessels on the high seas, with respect to other vessels and in any other situation, and underscores in particular that this resolution shall not be considered as establishing customary international law;

10. *Decides* to impose the following measures on vessels designated in accordance with paragraph 11:

(a) The Flag State of a vessel designated by the Committee pursuant to paragraph 11 shall take the necessary measures to direct the vessel not to load, transport, or discharge such crude oil from Libya aboard the vessel, absent direction from the Government of Libya focal point;

(b) All Member States shall take the necessary measures to prohibit vessels designated by the Committee pursuant to paragraph 11 from entering their ports,

unless such entry is necessary for the purpose of an inspection, in the case of emergency or in the case of return to Libya;

(c) All Member States shall take the necessary measures to prohibit the provision by their nationals or from their territory of bunkering services, such as provision of fuel or supplies, or other servicing of vessels, to vessels designated by the Committee pursuant to paragraph 11, unless provision of such services is necessary for humanitarian purposes, or in the case of return to Libya; in which case the Member State shall notify the Committee;

(d) All Member States shall take the necessary measures to require their nationals and entities and individuals in their territory not to engage in any financial transactions with respect to such crude oil from Libya aboard vessels designated by the Committee pursuant to paragraph 11;

11. *Decides* that the Committee may designate vessels for some or all of the measures in paragraph 10, on a case-by-case basis, for a period of ninety days, which may be renewed by the Committee;

12. *Decides* that the Committee may decide to terminate the designation of a vessel at any time and may make exceptions to some or all of the measures in paragraph 10 as may be necessary and appropriate;

13. *Recalls* the creation, pursuant to paragraph 24 of resolution 1973 (2011), of a Panel of Experts, under the direction of the Committee, to carry out the tasks provided for by that paragraph, *decides* that this mandate shall apply with respect to the measures imposed in this resolution, and *directs* the Panel of Experts to monitor implementation of the measures imposed in this resolution;

14. *Requests* the Secretary-General, having due regard for the increased mandate of the Panel of Experts, increase the Panel to six members, and make the necessary financial and security arrangements to support the work of the Panel;

15. *Decides* that the authorizations provided by and the measures imposed by this resolution shall terminate one year from the date of the adoption of this resolution, unless the Council decides to extend them;

16. *Decides* to remain seized of the matter.